

# **Appendix B**

**Appendix B: Cassava's Allegations of Actual Malice as to a Subset of Bredt & Pitt's Defamatory Statements****Cassava is a Fraud**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava is a Fraud</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>Things aren't always as they appear. Things that aren't right can be made to look right. And, tragically, my clients' worst fears about Cassava Sciences appear to have been true.</p> <p>Ex. 9, 11/17/21 CPL at 1; FAC ¶161(xx).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302–15
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–30
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>Increasingly, evidence suggests that Cassava has doctored its research and clinical trial results, duped peer-reviewed journals, used the tainted science to trick the NIH and FDA into approving grants and clinical trials, misled investors by touting their grants and clinical trials without disclosing their troubling research practices, and withheld material</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302–15
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–30

<b>Bredt and Pitt’s Defamatory Statement or Implication:</b>  <b>Cassava is a Fraud</b>	<b>Cassava’s Allegations of Actual Malice</b>	
<p>information about the true nature of its drug from vulnerable Alzheimer’s Disease patients.</p> <p>Ex. 9, 11/17/21 CPL at 1; FAC ¶161(yy).</p>	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>As detailed in our original Citizen’s Petition and in subsequent filings, including this one, the major concerns of my clients relate to the apparent manipulation of clinical data by Cassava.</p> <p>Ex. 9, 11/17/21 CPL at 1; FAC ¶161(zz).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–96, 298–99
	Contradictory Information:	FAC ¶¶ 302–07
	Common Knowledge in Scientific Community:	FAC ¶¶ 326–30
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–48, 350–58
	Repetition and Republication:	FAC ¶¶ 359–60, 365
<p>On November 3, 2021, Quintessential Capital released a public report that raises new and serious questions about Cassava Sciences and its drug candidate simufilam. . . Following an in-depth investigation, among other things, the firm found that</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–96, 298–99
	Contradictory Information:	FAC ¶¶ 302–07

<b>Bredt and Pitt’s Defamatory Statement or Implication:</b>  <b>Cassava is a Fraud</b>	<b>Cassava’s Allegations of Actual Malice</b>	
<p>Cassava’s clinical trials were administered by several controversial and questionable characters, that there were irregularities in the manner that the simufilam trials were conducted, and that the reported results of Cassava’s clinical trials appear to have been manipulated—in various ways.</p> <p>Ex. 9, 11/17/21 CPL at 3; FAC ¶¶161(aaa).</p>	Common Knowledge in Scientific Community:	FAC ¶¶ 326–30
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–46
	Inherently Improbable:	FAC ¶¶ 347–48, 350–58
	Repetition and Republication:	FAC ¶¶ 359–60, 365
<p>On the same date, a coalition of four scientists released a public presentation . . . and report . . . that both mirrored and expanded upon the numerous serious concerns about the accuracy and integrity of clinical and preclinical data outlined in our Citizen’s Petition. Specifically, among other significant things, the authors . . . reported that Cassava Sciences and Dr. Hoau-Yan Wang appear to have fabricated pre-clinical and clinical evidence across the entire simufilam program, provided inadequate and unreliable safety studies for simufilam, and engaged in serious misconduct in the analysis of and reporting of clinical trial data—particularly the drug’s much touted cognitive outcomes.</p> <p>Ex. 9, 11/17/21 CPL at 3-4; FAC ¶¶161(bbb).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–01
	Contradictory Information:	FAC ¶¶ 302–15
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–30
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
	Improper Motive:	FAC ¶¶ 290–94

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava is a Fraud</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>Since the filing of the Citizen's Petition, publicly and privately, the scientific community has validated many of my clients' concerns and identified countless new errors and anomalies that are consistent with scientific misconduct in Cassava Sciences' reports about both preclinical and clinical data.</p> <p>Ex. 9, 11/17/21 CPL at 8; FAC ¶161(ccc).</p>	Lack of Evidence:	FAC ¶¶ 302–15
	Contradictory Information:	FAC ¶¶ 316–30
	Common Knowledge in Scientific Community:	FAC ¶¶ 331–46
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>The nature and extent of these anomalies strongly suggest systematic data manipulation and misrepresentation because they frequently favor the authors' hypotheses and are outside of the scientific norm.</p> <p>Ex. 9, 11/17/21 CPL at 8; FAC ¶161(ddd).</p>	Improper Motive:	FAC ¶¶290–94
	Lack of Evidence:	FAC ¶¶302–15
	Contradictory Information:	FAC ¶¶316–30
	Common Knowledge in Scientific Community:	FAC ¶¶331–46
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶347–58

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava is a Fraud</b>	<b>Cassava's Allegations of Actual Malice</b>	
	Repetition and Republication:	FAC ¶¶359–65
<p>As detailed in my Citizen's Petition and in subsequent filings, including this one, their major concern relates to the mounting evidence that Cassava Sciences has doctored its research and clinical trial results to dupe peer-reviewed journals and to trick the FDA into approving its clinical trials.</p> <p>Ex. 11, 12/8/21 CPL at 1; FAC ¶161(fff).</p>	Improper Motive:	FAC ¶¶290–94
	Lack of Evidence:	FAC ¶¶302–15
	Contradictory Information:	FAC ¶¶316–30
	Common Knowledge in Scientific Community:	FAC ¶¶331–46
	Purposeful Avoidance of the Truth:	FAC ¶¶331–46
	Inherently Improbable:	FAC ¶¶347–58
	Repetition and Republication:	FAC ¶¶359–65

**Cassava Has Not Tested for Safety**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Has Not Tested for Safety</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>With these significant concerns, my clients remain skeptical about the entirety of Cassava's clinical data, including the safety data, which may also have been manipulated.</p> <p>Ex. 9, 11/17/21 CPL at 1; FAC ¶168(o).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–96, 298–99
	Contradictory Information:	FAC ¶¶ 302–07
	Common Knowledge in Scientific Community:	FAC ¶¶ 326–30
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–48, 350–58
	Repetition and Republication:	FAC ¶¶ 359–60, 365

**Cassava Relies Upon Fabricated and Manipulated Foundational Research**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Relies Upon Fabricated and Manipulated Foundational Research</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>Since our last supplemental submission, new analysis by my clients and other independent scientists raises serious concerns about Cassava's foundational claims for the binding of PTI-125 to filamin A and, separately, the methodology and reporting about their diagnostic test for Alzheimer's Disease, SavaDX, which is a key end point [for] two [of] Cassava's Phase 3 trials (NCT04994483 and NCT05026177).</p> <p>Ex. 11, 12/8/21 CPL at 1; FAC ¶174(k).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 296–97, 299–301
	Contradictory Information:	FAC ¶¶ 302–15
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–26
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>In our Citizen's Petition, we stated that this figure [figure 1B] is suspicious/implausible because of (1) the improbably high 570 femtomolar affinity and (2) the gradual increase in binding that span 6 log changes (10-13 to 10-7 M) of PTI-125. . . Our recent re-inspection of the Methods section for this crucial</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 297, 299, 300(c), 301
	Contradictory Information:	FAC ¶¶ 303–07, 310–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 327–28



<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Relies Upon Fabricated and Manipulated Foundational Research</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>experiment shows seemingly irrefutable evidence of data manipulation/fabrication.</p> <p>Ex. 11, 12/8/21 CPL at 2; FAC ¶174(l).</p>	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>Assuming one [C14] as is likely, Cassava's claimed specific activity for PTI-125 is ~1000 times higher than theoretically possible. Such an inexplicable error would create insurmountable problems and invalidate the study.</p> <p>Ex. 11, 12/8/21 CPL at 3; FAC ¶174(m).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 297, 299, 300(c), 301
	Contradictory Information:	FAC ¶¶ 303–07, 310–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 327–28
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>These issues underscore the implausibility of claiming to measure 580 fM binding affinity with C-14 labeled simufilam. Indeed, the numerous</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 297, 299, 300(c), 301

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Relies Upon Fabricated and Manipulated Foundational Research</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>elementary problems with Cassava's experiments raise troubling questions about whether simufilam binds to filamin A at all.</p> <p>Ex. 11, 12/8/21 CPL at 6; FAC ¶174(n).</p>	Contradictory Information:	FAC ¶¶ 303–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 327–28
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>It is important to note that no other labs have replicated this alleged potent interaction. Fatal flaws in these critical binding experiments, which form the foundation for their key investigations, raise serious questions about Cassava's hypotheses [sic] that filamin A is relevant to Alzheimer's disease and about whether simufilam affects filamin A.</p> <p>Ex. 11, 12/8/21 CPL at 6; FAC ¶174(o).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 297, 299, 300(c), 301
	Contradictory Information:	FAC ¶¶ 303–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 327–28
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65

**Cassava Relies Upon Fabricated and Manipulated Western Blots**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Relies Upon Fabricated and Manipulated Western Blots</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>A major problem with this is that international leaders in the nAChR field agree that there are no antibodies suitable for Western blotting of alpha7 nAChR in the brain. . . Therefore, the alpha7 nAChR data that form a mechanistic foundation for simufilam seem scientifically undoable. This fundamental limitation for alpha7 nAChR Western blotting raises serious questions regarding the validity of Fig. 1A, Fig. 2A, Fig. 9A, Fig. 10A, and Fig. 12A in Cassava's 2012 Journal of Neuroscience paper--the very same paper that Cassava heavily touted in a recent process release as having only one "human error."</p> <p>Ex. 9, 11/17/21 CPL at 4; FAC ¶179(bb).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 297, 299, 300(a), 301
	Contradictory Information:	FAC ¶¶ 305–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>In the end, all their purported alpha7 nAChR Western blotting research in the brain is seemingly undoable.</p> <p>Ex. 9, 11/17/21 CPL at 5; FAC ¶179(cc).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 297, 299, 300(a), 301
	Contradictory Information:	FAC ¶¶ 305–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23

<b>Bredt and Pitt’s Defamatory Statement or Implication:</b>  <b>Cassava Relies Upon Fabricated and Manipulated Western Blots</b>	<b>Cassava’s Allegations of Actual Malice</b>	
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>This seemingly irrefutable data manipulation is important both because it implies a pattern of reckless scientific misconduct and because it undercuts foundational science related to simufilam mechanism of action in Alzheimer’s disease.</p> <p>Ex. 9, 11/17/21 CPL at 14; FAC ¶179(dd).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 297, 299, 300(a), 301
	Contradictory Information:	FAC ¶¶ 305–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65

**Cassava Fabricated and Manipulated Its Phase 2b Study: Biomarker Data**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Fabricated and Manipulated Its Phase 2b Study: Biomarker Data</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>In our September 9th supplement, we noted that three of the ten biomarkers analyzed by Dr. Wang and presented by Cassava in the phase 2b study of simuflam in Alzheimer's disease had baseline values so far outside expectations that they suggest lab errors or manipulation.</p> <p>Ex. 9, 11/17/21 CPL at 5; FAC ¶215(t).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–96, 298
	Contradictory Information:	FAC ¶¶ 305–07
	Common Knowledge in Scientific Community:	FAC ¶¶ 328–30
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65

**Cassava Fabricated and Manipulated its Phase 2a Study**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Fabricated and Manipulated its Phase 2a Study</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>These apparent biomarker discrepancies are so extreme that they suggest lab errors or manipulation. It is worth noting that Cassava's publication of these suspicious Phase 2a biomarker data occurred in a paper (JPAD 2020 4:256) that was accepted just 6 days after submission, which calls into question the credibility and rigor of that journal's peer review process.</p> <p>Ex. 9, 11/17/21 CPL at 6; FAC ¶231(f).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–96, 298
	Contradictory Information:	FAC ¶¶ 305–07
	Common Knowledge in Scientific Community:	FAC ¶¶ 328–30
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65

**Cassava Fabricated and Manipulated Its Open Label Study**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Fabricated and Manipulated Its Open Label Study</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>In their phase 2b open label study of simufilam in Alzheimer's disease, Cassava claims improvement in patient's cognition. Careful evaluation of patient baseline cognition scores shows peculiarities that raise significant concerns about their interpretation of the data. Critical analyses of these results are posted on Twitter . . . and we incorporate aspects of those analyses below.</p> <p>Ex. 9, 11/17/21 CPL at 6; FAC ¶239(l).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–96, 298
	Contradictory Information:	FAC ¶¶ 305–07
	Common Knowledge in Scientific Community:	FAC ¶¶ 328–30
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>There are two red flags with these reported data. First, the observed mean ADAS-Cog 11 scores after 6 and 9 months are virtually the same (13.9 vs. 13.6, respectively), so the data do not appear to demonstrate a continued improvement. Second, the baseline data between the 6-month and 9-month analyses changes substantially, and to a degree that</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–96, 298
	Contradictory Information:	FAC ¶¶ 305–07
	Common Knowledge in Scientific Community:	FAC ¶¶ 328–30

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Fabricated and Manipulated Its Open Label Study</b>	<b>Cassava's Allegations of Actual Malice</b>	
seems inconsistent with other information provided by the company, suggesting possible manipulation.  Ex. 9, 11/17/21 CPL at 7; FAC ¶239(m).	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–65



**Cassava Lied About SavaDX**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Lied About SavaDX</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>As there is not a single gold standard for diagnosing AD, it seems highly improbable that any test could have 98-100% accuracy.</p> <p>Ex. 11, 12/8/21 CPL at 7; FAC ¶252(e).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302. 303(b), 305, 306(p), (oo), (qq), 307–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–335, 336–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–49, 354–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>For these and other reasons, Cassava's assertions about SavaDX seem implausible and have been largely ignored for years by the neuroscience community.</p> <p>Ex. 11, 12/8/21 CPL at 7–8; FAC ¶252(f).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302. 303(b), 305, 306(p), (oo), (qq), 307–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Lied About SavaDX</b>	<b>Cassava's Allegations of Actual Malice</b>	
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–335, 336–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–49, 354–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>Suddenly pausing SavaDx is another major red flag, as Cassava has described it as fast and inexpensive.</p> <p>Ex. 11, 12/8/21 CPL at 10; FAC ¶252(g).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302, 303(b), 305, 306(p), (oo), (qq), 307–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–335, 336–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–49, 354–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>For these and other reasons, we believe Cassava paused SavaDx and has begun to lower expectations</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Lied About SavaDX</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>because the problems with SavaDX have been exposed or feared would soon be exposed.</p> <p>Ex. 11, 12/8/21 CPL at 10; FAC ¶252(h).</p>	Contradictory Information:	FAC ¶¶ 302. 303(b), 305, 306(p), (oo), (qq), 307–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–335, 336–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–49, 354–58
	Repetition and Republication:	FAC ¶¶ 359–65
<p>Furthermore, potentially powerful, and direct evidence of data manipulation related to SavaDx was documented on 29 November 2021 by a group of scientists independently investigating Cassava. They posted their concerns, of which we were previously unaware, on Twitter. . . They also made a PDF of the presentation available online at SAVA Dx: Theranos 2.0 (cassavafraud.com).</p> <p>Ex. 11, 12/8/21 CPL at 10; FAC ¶252(i).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302. 303(b), 305, 306(p), (oo), (qq), 307–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–335, 336–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–49, 354–58

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava Lied About SavaDX</b>	<b>Cassava's Allegations of Actual Malice</b>	
	Repetition and Republication:	FAC ¶¶ 359–65
<p>Several apparent red flags arise when comparing the raw data in the FOIAed email with the figures in Cassava's AAIC poster.</p> <p>Ex. 11, 12/8/21 CPL at 11; FAC ¶252(j).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302, 303(b), 305, 306(p), (oo), (qq), 307–12
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–335, 336–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–49, 354–58
	Repetition and Republication:	FAC ¶¶ 359–65

**Cassava's Executives Engage in Insider Trading**

<b>Bredt and Pitt's Defamatory Statement or Implication:</b>  <b>Cassava's Executives Engage in Insider Trading</b>	<b>Cassava's Allegations of Actual Malice</b>	
<p>Like Tesla and Elon Musk's use of Twitter, Cassava Sciences and Remi Barbier regularly get into trouble with their press releases. As illustrated by their 9/14/20 press release that falsely claimed that a different academic lab conducted the redo (and increased the company's share price by 133.4%), or the misleading 8/26/21 press release in which the company tried to use Quanterix as an alibi for its alleged misconduct, they tend to make misleading statements in an effort to exonerate themselves or boost the company's flagging share price.</p> <p>Ex. 9, 11/17/21 CPL at 16–17; FAC ¶¶273(f).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302–15
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23, 330
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
<p>Based on a closer review of Cassava's press release [on 11/4/21], we suggest that it contains material misrepresentation or omissions. As a preliminary matter, if contacted by law enforcement or regulatory authorities, we are confident that the editors of the Journal of Neuroscience will state that the authorized</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302–15
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23, 330

<b>Bredt and Pitt’s Defamatory Statement or Implication:</b>  <b>Cassava’s Executives Engage in Insider Trading</b>	<b>Cassava’s Allegations of Actual Malice</b>	
<p>statement did not constitute an endorsement or exoneration of any kind.</p> <p>Ex. 9, 11/17/21 CPL at 17; FAC ¶273(g).</p>	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–60, 361(a), 362–65
<p>The bottom line is Cassava Science does not appear to have provided the Journal of Neuroscience “original, uncropped Western blots” as represented in its 11/4/2021 press release, so the journal could not have exonerated them, as they so dramatically suggested. Making matters far worse, the company appears to have knowingly taken the published image (the one on the left above), blurred it a bit, and then photoshopped it onto a slightly different canvas to “create” the image on the right. Undoubtedly, these apparently deceptive acts were not disclosed to the Journal of Neuroscience, and countless investors were misled, as is evidenced by the market capitalization of Cassava Sciences almost doubling on this press release.</p> <p>Ex. 9, 11/17/21 CPL at 22; FAC ¶273(h).</p>	Improper Motive:	FAC ¶¶ 290–94
	Lack of Evidence:	FAC ¶¶ 295–301
	Contradictory Information:	FAC ¶¶ 302–15
	Common Knowledge in Scientific Community:	FAC ¶¶ 316–23, 330
	Purposeful Avoidance of the Truth:	FAC ¶¶ 331–43, 345–46
	Inherently Improbable:	FAC ¶¶ 347–58
	Repetition and Republication:	FAC ¶¶ 359–60, 361(a), 362–65